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8 UNITED STATES DISTRICT COURT

9 CENTRAL DISTRICT OF CALIFORNIA

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11 PETER BERROCAL,) Case No. CV 09-08654 DDP (CWx)
12 Plaintiff,)
13 v.) ORDER TO SHOW CAUSE WHY THIS CASE
14 WMC MORTGAGE CORP.; DEUTSCHE) SHOULD NOT BE DISMISSED FOR LACK
15 BANK NATIONAL TRUST COMAPNY) OF SUBJECT MATTER JURISDICTION
16 AS TRUSTEE FOR MORGAN)
17 STANLEY ABS CAPITAL I INC.,)
18 TRUST 2006-WMC3; KIP PIERCE,)
19 an individual; EQUITY FIRM,)
INC.; AMERICAN)
INTGERNATIONAL GROUP, INC.;)
20 NDEX WEST, LLC dba AMERICA'S)
SERVICING COMPANY,)
Defendants.)

)

21 Plaintiff filed this suit relating to a mortgage transaction,
22 raising eight California state law causes of action. It is not
23 clear to the Court that this case is one "arising under the
24 Constitution, laws, or treaties of the United States" as required
25 to establish federal question jurisdiction under 28 U.S.C. § 1331.

26 Accordingly, the Court orders the parties to file cross-
27 briefs, not to exceed ten (10) pages, within ten (10) days of the
28 date of this order, to show cause why this case should not be

1 dismissed for lack of subject matter jurisdiction. If a party does
2 not file a brief, the Court will regard that party as not opposing
3 dismissal of this matter.

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6 IT IS SO ORDERED.

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9 Dated: January 14, 2010

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DEAN D. PREGERSON
United States District Judge